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Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Comprehensive report on the progress made by the International Criminal Tribunal for the Former Yugoslavia in reforming its legal aid system

Report of the Secretary-General

Summary

The General Assembly, in its resolution 57/288 of 20 December 2002, requested the Secretary-General to submit a comprehensive report on the progress made by the International Criminal Tribunal for the Former Yugoslavia in reforming its legal aid system, particularly with regard to rationalizing the costs of defence counsel and establishing indigence, to the Assembly at its fifty-eighth session.

The present report is submitted pursuant to that request and outlines the reforms implemented by the International Tribunal to improve its legal aid system.

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I. Introduction

1. In its resolution 57/288 of 20 December 2002, the General Assembly requested the Secretary-General to prepare a comprehensive report on the progress made by the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 in reforming its legal aid system, particularly with regard to rationalizing the costs of defence counsel and establishing indigence, for the main part of the fifty-eighth session of the Assembly.

2. The International Criminal Tribunal for the Former Yugoslavia established its legal aid system in 1995 to guarantee a fair trial under international criminal law and in accordance with international standards. The legal aid system has its legal basis in article 21 of the Statute of the Tribunal, the Rules of Procedure and Evidence, the Directive on Assignment of Defence Counsel and the administrative practice of the Registry as established in the Tribunal case law.

3. Article 21 of the International Tribunal's Statute states that an "accused shall be entitled to ... have legal assistance assigned to him in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it".

4. The International Tribunal's legal aid system is based on the following main principles:

(a) The accused is entitled to legal aid if he is partially or fully incapable of paying for his defence;

(b) Only necessary and reasonable expenses for the criminal defence are remunerated;

(c) The legal aid system requires defence to be efficient in its management of cases;

(d) The legal aid system must be able to attract defence counsel of good quality and standing, and with skills at a level comparable to the senior trial attorneys and trial attorneys working in the Tribunal's Office of the Prosecutor;

(e) The accused and the Prosecutor must have equality of procedural arms, supported by an appropriate level of resources.

5. An accused whose defence costs are covered by legal aid may challenge relevant aspects of the legal aid system of the Tribunal where the system is perceived by the defence not to provide adequate resources and therefore affect the principles of fair trial and equality of arms as enshrined in the Tribunal's Statute. It is important that an adequate level of legal aid resources be maintained to guarantee the proper administration of justice and the Tribunal's credibility.

6. The Registrar has made periodic amendments to the system since its inception. Some minor changes were made with regard to specific policy issues, such as those relating to invoicing of counsel for legal background research and travel costs for legal assistants. The Registry, with the approval of the Judges, also introduced important structural changes relating to the establishment of payment ceilings for the remuneration of counsel and rationalization of defence costs.

II. Defence counsel fees

7. In 1995, the Tribunal set hourly rates for counsel ranging between $80 and $110, depending on years of experience as a judge, prosecutor or attorney. Those rates covered counsel's remuneration and office expenses. In order to be reimbursed, counsel submitted detailed time sheets or similar documents that indicated the number of hours spent on the case and a description of the tasks performed.

8. In an effort to rationalize the system and to control costs, the Registry established a ceiling on the amount of allowable hours per month for the remuneration of an assigned counsel. From September 1996 onwards, lead and co-counsel were entitled to claim up to a maximum of 175 hours (including hearing hours) per month for remuneration provided that they submitted the required documentation and had the prior approval of the Registrar. The rationale behind establishing maximum allowable hours was that if the rates were multiplied by 175 hours, the total would equal approximately a monthly gross salary of a senior trial attorney or trial attorney at the Tribunal, plus office overhead costs. In addition, the maximum of 175 allowable hours was in line with the normal workload of a prosecutor attorney as well as a reasonable amount of billable hours by a defence attorney.

9. The hourly rates for legal assistants and defence investigators were set at between 15 and 25 euros. Prior to 1998, no monthly ceiling had been set for the remuneration of legal assistants and investigators. In 1998 the ceiling was set at 175 hours per person per month. In 1999, the ceiling was lowered to 125 hours per person per month.

10. Based upon the provisions of the Tribunal's Directive on Assignment of Counsel, the Registry developed a system for travel entitlements. Travel of counsel would be justified for client consultations, examination of witnesses and for hearings. Travel for defence investigators was authorized only for field trips and for legal assistants mainly for legal research and drafting and for limited review of case files in The Hague.

11. However, the system in place had its drawbacks. There was limited incentive for defence teams to perform efficiently, as the system was based on payments of monthly maximum allotments for as long as a case lasted. It was felt that the system could be subject to abuse by counsel invoicing for work not directly related to the case preparation or for work that was never completed. In addition, in cases where the pre-trial phase extended beyond its normal duration there could be a significant escalation of defence costs. Furthermore, administrative staff of the Registry bore a significant workload in the evaluation of the reasonableness of the invoices submitted, including finding a balance between an effective review of invoices and undue interference with the prerogatives of counsel in preparing their defence.

12. In order to reduce the potential for obstructive and dilatory tactics by assigned defence counsel, the Registry decided in 1998 that it would take into account delays in pre-trial and trial proceedings deemed to have clearly been caused by such tactics. In such cases, counsel invoices were reduced accordingly.

13. In January 2001, the Registry introduced its first major reform of the legal aid system. The reforms were motivated by the need to improve the allocation of

resources between cases varying in complexity, to create incentives for counsel to work efficiently and to explore possibilities for cost savings.

14. The Rules of Procedure and Evidence relating to misconduct of defence counsel were also modified in 2001 to allow Chambers to indicate, in their decisions and orders, whether a motion submitted by the defence appeared dilatory. On the basis of such assessments by a Trial Chamber and on its own review of the defence motions submitted, the Registry audited invoices and refused payment of certain fees.

15. The system of a monthly ceiling of working hours (with no limit for the duration of payment) was modified with the introduction of a payment ceiling system applicable to the entire duration of the pre-trial and appeal stages and effective in 2001. The system was an important advancement towards the implementation of a "lump sum" payment system for the trial stage that would come into effect at a later stage. The system employed several methods for rationalizing and simplifying the system, in particular, imposing maximum total remuneration for a case stage depending on the complexity of the case.

16. While payment was previously made for hours billed by defence regardless of the duration of the proceedings, this modified system is based on the allocation by Registry of a maximum number of hours, paid out in monthly disbursements for pre-trial and appeal stages based on invoiced hours.

17. The system ensures proportional allocation by attaching payment to the level of complexity of a case. The Registrar ranks cases according to difficult (1), very difficult (2) and leadership (3). Initially, all cases are ranked at level 1. The complexity of a case is then determined in consultation with the Trial Chamber, after considering any submission from defence counsel. Factors that are considered include the number and nature of counts in the indictment; possible amendments of the indictment; the nature of preliminary motions and challenges to the Tribunal's jurisdiction; the number of accused joined in the same case; the number of witnesses and documents involved; the geographical territory covered in the indictment; the previous ranking of the accused within the military or political hierarchy (where appropriate); and the legal issues expected to arise in the course of trial.

18. The ranking system guarantees that the appropriate level of resources is made available to defence teams, while the review by Registry of the invoices ensured that the funds were used efficiently. Annex I shows the allocation of hours based on the ranking system applicable for the pre-trial and appeal stage, which are still in effect.

19. Moreover, the system provides for some flexibility in that it allows approval by the Registrar of additional resources in exceptionally onerous level-3 cases involving an unexpected increase in workload. Ranking may be changed at any time to reflect the complexity of a particular case. Also, if the Registrar is convinced that an unexpected development beyond the control of the defence (such as extra disclosure by the prosecution) warrants additional hours, consideration is given to granting a small additional allotment of resources to cover the unforeseen development, while maintaining the current ranking of the case. The Registrar makes the determination based on whether the work carried out as a result of the circumstances was directly relevant and necessary to the preparation of the case. At the same time, a case can also be downgraded at any time depending on the circumstances.

20. However, the implementation of the payment ceiling system has its own drawbacks. Some defence teams exhaust their full allotment at the beginning of the pre-trial and appeal stages through heavy billing in the initial stages of the proceedings. In such cases, it is not unusual for defence counsel to approach the Registry, and often the Chambers, requesting additional resources. In most instances, the Registry has firmly refused the granting of additional resources. The defence consistently challenge its decisions.

21. In addition, a maximum allotment to be shared between all legal assistants and investigators assigned to the case has been set at 150 hours per month, which represented a significant reduction vis-à-vis the previous allotment of 125 hours per month for each assistant and investigator.

22. At the same time, changes were also made to the remuneration applicable during the trial phase of the proceedings. A maximum monthly allotment of 115 hours of preparation time was set in respect of the lead counsel and co-counsel. That ceiling did not apply to hearing hours, which were remunerated based on the actual hours spent by counsel in court.

23. The payment ceiling system approach appeared promising as a means of containing and controlling escalating costs. For that reason, at its 2002 plenary, the Tribunal decided to endorse the introduction of a pure lump sum system applicable only to new cases during the trial phase and effective in 2003.

24. The objectives of the lump sum system are:

(a) To provide defence teams with greater flexibility and incentive to manage their resources and time in the most efficient manner;

(b) To distinguish between the level of difficulty of various cases by providing more resources to extremely complex cases;

(c) To streamline procedure by allowing defence to submit more standardized invoices, which are reviewed before payment can be authorized;

(d) To facilitate responsible budgeting of the Tribunal's legal aid resources, by establishing a system that is less open to abuse and that allows for more reliable projections of cost.

25. The trial phase is broken down into the prosecution stage and the defence stage. In the event that either of the stages is expected to last longer than 12 months, the stage is further subdivided into two stages. Each stage is allocated a lump sum based on the level of complexity determined in consultation with the Trial Chamber (see annex II). Rather than rely on monthly invoices, the Registry disburses two thirds of the lump sum in equal monthly instalments, calculated in terms of the expected duration of the trial. The final third of the lump sum is held against the possibility of the trial stage running longer than earlier anticipated, when it can be used to provide additional monthly instalments. The holding of one third is intended to support the defence in the efficient utilization of resources and to provide a strong motivation to keep the time schedule. If a trial stage terminates ahead of schedule, the defence will still be entitled to the full lump sum; conversely, if the trial runs a little longer, the defence will not receive additional payments. Annex III shows the lump sum payments applicable according to the degree of difficulty of the trials.

26. The new system retains an element of flexibility to address unexpected factual and legal circumstances or developments in the course of trial. If the actual duration of the trial stage greatly exceeds the estimated duration as a result of unforeseen or exceptional circumstances beyond the control of the defence, the defence team has the opportunity at the end of the stage, or upon the exhaustion of the lump sum, to submit a request to the Registry to make an adjustment, in consultation with the Trial Chamber. Conversely, if the case were to end very early, as in the case of a guilty plea, the lump sum could, with the consent of the Chamber, be reduced proportionately.

27. This difference in approach promises greater efficiency, as it eliminates the previous problem of reviewing invoices and allows the Registry's judicial services to devote attention to more pressing matters. The defence teams will not be required to submit more than a pro forma invoice on a monthly basis and the Registry's judicial staff need not second-guess counsel's submission. Because any incentive for counsel to overstate the work performed has been eliminated, invoices need not be subject to critical review. Time- and resource-consuming litigation of invoices before Chambers or the Tribunal's President is also avoided.

III. Indigence

28. In order to establish indigence and to grant legal aid, an applicant for legal aid must complete a declaration of means, certified by an appropriate authority located either in the place of residence of the accused or any other place considered appropriate, under the circumstances, by the Registrar.

29. According to article 8 of the Directive on the Assignment of Defence Counsel, an accused person who requested the assignment of counsel had to produce documentation to support his claim to be unable to remunerate counsel. In determining whether applicants were indigent, the Registrar took into account factors such as the disposable income, the assets and the profile of the accused. While no specific threshold — in terms of income or assets — existed for a determination of indigence, the Registry calculated that a defence team engaged in the preparation or trial of a case would cost approximately $360,000 per year.

30. In accordance with rule 45 of the Rules of Procedure and Evidence, the Registrar assigned counsel from a list of lawyers who were interested in representing indigent suspects or accused and who were qualified under Tribunal rules to do so. The Registrar verified that the counsel chosen had the required qualification to defend a case before the Tribunal and that he or she was not the object of disciplinary procedures in his or her country. The counsel had to be a certified member of a bar or a lecturer of law at a university, speak one of the two working languages of the Court (English or French) and produce a curriculum vitae. The Tribunal has relaxed its language requirements in certain circumstances to allow counsel who spoke neither English nor French to represent an accused. In such cases, interpretation and translation are provided by the Tribunal within reason.

31. As stated in article 21 of the Statute, accused are only entitled to legal aid if unable to pay for their defence. When verifying the financial status of accused, initially the Registry was forced to rely mostly on the statements of accused and their verification by local authorities in the region. As indicated, with the average cost of legal representation for a case requiring intense preparation being upwards of

$360,000 per year, none of the accused was capable of bearing the costs of their defence until 2000.

32. Originally most accused had modest financial means and therefore no particular threshold for indigence was required. The arrest and detention of accused who had been at a higher rank in a political, military or other hierarchy — and who had correspondingly higher ability to pay — required an adaptation of the system to include standards for determining indigence.

33. A financial formula was specifically developed by the Registry, which takes into account the accused's income and assets, expenses for dependants, as well as the costs and necessary duration of legal aid, and other measures such as means in relation to the projected cost of legal representation.

34. Through the year 2000, legal aid could only be allowed either in full or not at all. In an effort to deal more realistically with the indigence of the accused, however, the Tribunal recognized that some accused might be capable of paying for representation in part. During a plenary session held on 15 December 2000, upon the initiative of the Registrar, the judges of the Tribunal approved an amendment to the Directive on Assignment of Defence Counsel that allows the Registry to pay only a portion of the costs incurred by the representation of an accused when the accused possesses the means to remunerate counsel in part.

35. In its assessment of indigence, the Registry takes into account assets that the accused directly or indirectly enjoys or freely disposes of, including, but not limited to, direct income, bank accounts, real or personal property, stocks and bonds. The means of the accused's spouse as well as those of all persons with whom he habitually resides are also taken into consideration.

36. The Registry further determines the monthly disposable income of the accused. The calculation of the monthly disposable income is obtained based on the official value of the property owned by the accused and by members of his family with whom he usually resides as well as the monthly income of the accused and his family members. The number of members of the accused's household and average expenditure of the household are also taken into consideration.

37. The contribution of the accused to the costs of his defence is calculated according to an established formula, proportionate to his monthly disposable income. Accordingly, the Registry does not remunerate a certain amount of working hours allocated under the legal aid system to some members of the accused's defence team. The costs of those hours are paid directly by the accused under conditions negotiated between the accused and the defence. The Registry thus ensures that the accused's contribution does not exhaust the means of his household, deplete all liquid means and assets or result in a lack of support for the accused's dependants.

38. Since the Directive was amended, the Registrar has declared six accused at the pre-trial stage partially indigent. As it would have been legally difficult and resource-intensive to obtain cash contributions from the accused, his or her contribution is deducted from the allowance granted by the Registry under the legal aid system.

39. The ability of the accused to contribute to the costs of his or her defence is reassessed regularly.

IV. Others issues related to the legal aid system

A. Financial investigations

40. One of the most notable measures taken to secure the integrity of the legal aid system is the Tribunal's appointment of a financial investigator in March 2002 to assess the ability of the accused to cover the costs of defence. The investigations allow the Registry to ensure that only the truly indigent are provided with counsel and that issues of professional conduct are addressed.

41. As noted above, full legal aid has already been cut back to partial legal aid for six accused, based on interviews and evidence gathered on field missions. Additional investigations are under way, that promise additional savings.

42. These financial investigations have also addressed the issue of "fee splitting" in which counsel and the accused arrange to share lawyer fees. In addition, the Registrar prepared an amendment for the revision of the Code of Professional Conduct for Defence Counsel explicitly prohibiting fee-splitting arrangements. The amendment entered into force in August 2002.

43. The investigator, in cooperation with lawyers, has also uncovered other financial improprieties, such as over-billing. The deterrent effect of the investigator's work is certain to discourage other abuses by defence counsel.

B. Association of Defence Counsel

44. At the judges' plenary meeting in July 2002, an important reform to the legal aid system was adopted with the endorsement of the Tribunal-specific professional association of counsel recognized by the Registrar. The reforms had been the subject of intense discussion between the Registry and defence counsel and resulted in the amendment of article 44 (A) of the Rules of Procedure and Evidence to require counsel's membership in the Association of Defence Counsel, which was established in September 2002.

45. At the same plenary, the judges also approved a model founding document for such an association of counsel. The constitution of the association was based on a document drafted by a working group of two judges, defence counsel and legal counsel in Registry. The statute gives the association power to carry out a number of important functions, including training and supporting counsel. The Association of Defence Counsel also has a disciplinary committee and may police itself for ethical problems in accordance with the Code of Conduct. It has already acted to suspend a lawyer's membership.

C. Ethics and disciplinary reform

46. Amendments to the Code of Conduct in 2002 created a means of addressing ethical violations through the establishment of a Disciplinary Panel. The Panel now has two disciplinary complaints of one counsel against another now before it. The Panel and its appeals organ, the Disciplinary Board, which includes three judges, has important powers for securing counsel's adherence to the Code of Conduct. As

already noted, the Code has been amended to explicitly prohibit fee-splitting arrangements. In addition, family members and friends of accused are no longer eligible to be assigned under the legal aid system. That change should also curtail abuses of the system.

D. External factors affecting legal aid costs

47. The costs of a legal aid defence, much like the costs of a privately funded defence, depend on a variety of external factors, which are beyond the control of the Registry and limit the Registry's ability to contain costs. Such factors include Chambers' control over the application of the principle of fair trial, the length and complexity of the Prosecution's case, the willingness of States to open their archives and the cooperation of witnesses.

48. Often, disclosure of exculpatory and other materials by the Prosecution can play a key role in determining the length of the trial and the costs associated with it. In some cases, there can be thousands of pages of disclosure material, imposing an enormous burden on the defence and a correspondingly heavy cost on the Registry. Moreover, the Prosecution's disclosure of documents continues throughout the pre-trial, trial and even post-trial proceedings.

49. In unusual and compelling circumstances, an accused may be allowed to change his defence counsel. A recent example involved a defence counsel who was suspended from practice in his home jurisdiction less than two weeks before the trial was set to begin. While the Registry has been effective in minimizing the costs of such replacements, there are cases where the defence costs inevitably increase as a result.

50. The Tribunal has been confronted with two cases in which defendants have exercised their right to defend themselves. The Chamber found it necessary to assign amici curiae paid by the Tribunal to one such case in order to secure the rights of the accused. It remains to be seen how the other case will be handled, but the Chamber has already indicated its intention to require the appointment of "standby" counsel.

51. In order to reduce the costs and delays associated with changes of assigned counsel, the Registry has allowed accused to choose new counsel only where there is evidence of exceptional circumstances, such as complete breakdown in the relationship between counsel and client, or if counsel is ordered to withdraw from a case for ethical reasons.

E. Future reforms under consideration

52. To monitor the new lump sum payment scheme for trial and the continuing payment ceiling scheme for pre-trial and appeal, the Registry will be implementing a financial tracking system during 2003 with the cooperation of the Tribunal's Information Technology Section. The automated system will allow the Office for Legal Aid and Detention Matters in the Registry to track defence counsel expenditures and forecast future budgetary needs in a more timely and efficient manner.

53. The Tribunal is fostering the use of automated means for trial procedures. Such tools are employed to rationalize the procedures by, for example, automating the

presentation of documentary and video evidence in court, by facilitating the electronic disclosure of material to the defence and by utilizing computerized research tools for the finding of jurisprudence. For example, the judicial database, introduced in 2003, gives defence counsel access to the Tribunal's public filings in a searchable database available through computers in the Tribunal's library. By the end of 2003, the entire contents of the Tribunal's filings will be available on that database. Eventually, the database should be available to defence counsels on their own computers via the Internet.

54. Among the most problematic issues in the assignment of counsel is facilitating the accused's right to choose a lawyer while ensuring quality of assigned counsel. That right does not exist in all legal systems, but it has been recognized in Tribunal case law with some restrictions. As explained above, in 2001 the Registrar amended the Directive on Assignment of Counsel to exclude family members of accused and counsel from assignment to defence teams. The Tribunal has recently established a working group of three judges and the Registrar to address other assignment-related issues, including the accused's selection of poorly qualified lawyers or lawyers whose ethics raise questions.

V. Conclusion

55. Legal aid systems are inherently difficult to administer, as sensitive balances have to be struck between sometimes conflicting objectives. Respecting the accused's right to choose counsel may run counter to the Tribunal's responsibility to provide competent and effective counsel. The need to maintain equality of arms between the parties has to be accommodated within budgetary constraints.

56. The legal aid system at the Tribunal has gone a long way towards addressing those difficulties and striking the balances in the best way possible. Efforts at reform continue, promising further rationalization of costs, and more effective stewardship of the legal aid resources, without compromising the principles of justice the legal aid system must serve.

Annex I

Ranking and allocation of resources

The table below describes the maximum allotments for lead counsel, co-counsel, legal assistants and investigators applicable to the pre-trial and appeal phases of the proceedings. It also shows the maximum monthly allotments for the trial phase.

	Phase of the case						
	Pre-trial case level; estimated minimum preparation time				*Appeal case level; estimated minimum preparation time*		
Team member	*Case level 1 (difficult); four months*	*Case level 2 (very difficult); six months*	*Case level 3 (leadership cases); eight months*	*Trial*	*Case level 1 (difficult); three months*	*Case level 2 (very difficult); four months*	*Case level 3 (leadership cases); six months*
Lead counsel	1 400 hours total, plus all hearing hours for one counsel	2 100 hours total, plus all hearing hours for one counsel	2 800 hours total, plus all hearing hours for one counsel	All hearing hours; average monthly preparation time over the duration of trial: 115 hours.	1 050 hours total, plus all hearing hours	1 400 hours total, plus all hearing hours	2 100 hours total, plus all hearing hours
Co-counsel				All hearing hours; average monthly preparation time over the duration of trial: 115 hours.			
Legal assistants or investigators	2 000 hours total	3 000 hours total	4 000 hours total	Maximum average monthly working hours over the duration of trial: 150.	450 hours total	600 hours total	900 hours total
Total hours	**3 400**	**5 100**	**6 800**	**Total not applicable**	**1 500**	**2 000**	**3 000**

Annex II

Duration of trial stages

1. An essential element in the revised 2003 system is the assessment of the duration of a trial stage. Because the Trial Chamber is ultimately responsible for controlling the proceedings, the estimated duration of a stage is calculated by consulting with the Trial Chamber to determine how many hours have been allocated given the following factors: the examination-in-chief, the cross-examination, the re-examination, judges' questions, and how many rule 92 bis statements (given by witnesses in writing only) are expected.

2. Once the total time for witness testimony and procedural questions is estimated, the Registry uses the following parameters in order to estimate the duration of any stage: the number of available court days per year, as set out in the Tribunal's budget parameters; and the anticipated level of courtroom usage.

3. The anticipated duration of a court session at present is 3.83 hours of actual hearing time. The average court time of a trial in a given year has been estimated at 145.5 days. Therefore, the projected session time in a one-month period is 46.44 hours, a figure reached by performing the following equation: 145.5 ÷ 12 x 3.83 = 46.44 hours.

4. In order to determine the estimated duration of a stage, the total hearing times predicted for the stage (examination-in-chief + cross-examination + re-examination + judges' questions + procedural issues) is divided by the maximum available hearing hours per month. Calculations are thus tailored to reflect the particular situations of each case and each Trial Chamber.

Annex III

Calculation of lump sum payments for a trial stage

1. The lump sum for a trial stage is calculated by multiplying the following monthly allotments by the estimated number of months of the duration of the case. These figures have been established based on counsel invoices submitted for the prosecution stage of previous cases before the Tribunal. The allotment per level are:

Degree of difficulty	*Allotment (United States dollars)*
1 Difficult	33 200
2 Very difficult	36 550
3 Extremely difficult/leadership	40 150

2. Since the duration of a case is likely to vary depending on the level of complexity, the ultimate difference will not necessarily be reflected in the above allotments. The following table therefore illustrates the full level of resources that would be allocated for a level-1 prosecution stage of trial predicted to last 4 months, a level-2 stage predicted to last 7 months and a level-3 stage predicted to last 10 months. The fixed sums for a particular stage are:

Degree of difficulty	*Allotment (United States dollars)*	*Estimated duration (months)*	*Fixed sum (United States dollars)*
1 Difficult	33 200	4	132 800
2 Very difficult	36 550	7	255 850
3 Extremely difficult/leadership	40 150	10	401 500

3. The monthly stipend is an advance payment of the lump sum in instalments and does not represent a monthly allotment of hours. The stipend is calculated by dividing the fixed sum by the estimated number of months and multiplying that figure by two thirds.

4. The rationale for retaining one third of the lump sum is to ensure that the defence team continues to receive a stipend for the entire duration of the stage, regardless of the actual duration of the stage. This is consistent with the ethos of a lump sum system, that is, payments should be linked to the work done for a particular stage of the proceedings rather than to monthly allotments for the actual duration of the proceedings.

5. At the end of the stage, the defence team receives the full lump sum initially set for that stage, less any disbursements already received in the form of monthly stipends.

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Programme of activities of the International Decade of the World's Indigenous People

Implementation of the programme of activities of the International Decade of the World's Indigenous People

Note by the Secretary-General**

Summary

Of particular note during the current reporting period (August 2002-July 2003) are the second session of the Permanent Forum on Indigenous Issues (12-23 May 2003), which included a high-level panel on indigenous children, and the twenty-first session of the Working Group on Indigenous Populations (21-25 July 2003), the principal theme of which was "indigenous peoples and globalization". During this period, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people carried out a large number of activities, including communications with Governments, country missions and a thematic report on the impact of large-scale development projects on indigenous peoples' rights, which was submitted to the Commission on Human Rights at its fifty-ninth session. The Office of the United Nations High Commissioner for Human Rights continued to promote inter-agency cooperation within the framework of the International Decade of the World's Indigenous People through initiatives such as the Consultation and Training Workshop for Pygmy Communities on Human Rights, Development and Cultural Diversity, which was carried out in cooperation with the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization. An additional Workshop on Indigenous Peoples and Sustainable Development was also held. In addition, the Office of the United Nations High Commissioner for Human Rights is in the process of carrying out a joint research

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** In accordance with General Assembly resolution 55/222, section III, paragraph 10, the present report is being submitted on 12 August 2003 so as to include information on the outcomes of the Working Group on Indigenous Populations.

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project with the United Nations Human Settlements Programme on indigenous peoples and their housing rights and continues to promote the mainstreaming of indigenous rights into technical cooperation programmes. In April, the 2003 Indigenous Fellowship Programme began, which will train 15 young indigenous participants this year. The Programme is now in its seventh year. The attention of States is drawn to the request of the Commission on Human Rights in its resolution 2003/58 to the Secretary-General to make recommendations concerning how to mark the end of the International Decade.

1. In its resolution 57/192 of 18 December 2002, the General Assembly requested the United Nations High Commissioner for Human Rights to submit, through the Secretary-General, a report on the implementation of the programme of activities for the International Decade of the World's Indigenous People to the Assembly at its fifty-eighth session. The present report contains a summary of the activities relating to indigenous peoples undertaken by the Office of the High Commissioner between the presentation of the report of the Secretary-General to the Assembly at its fifty-seventh session (A/57/395) and July 2003.

Working Group of the Commission on Human Rights on a draft declaration on the rights of indigenous peoples

2. The eighth session of the open-ended intersessional Working Group of the Commission on Human Rights on the draft declaration on the rights of indigenous peoples was held in Geneva from 2 to 13 December 2002. An informal discussion took place on the cluster of articles 3, 31 and 36; 25-30; and 7, 8 and 11. The report of the Working Group is contained in document E/CN.4/2003/92 and Add.1 and a compilation of amendments proposed by some States for future discussion appears in annex I to the report. The ninth session of the Working Group will take place in Geneva from 15 to 26 September 2003.

Commission on Human Rights

3. The Commission on Human Rights held its fifty-ninth session from 17 March to 25 April 2003. The Commission considered the report of the Working Group on the draft declaration on the rights of indigenous peoples (E/CN.4/2003/92 and Add.1), the report of the High Commissioner on the activities undertaken within the framework of the International Decade of the World's Indigenous People (E/CN.4/2003/89) and the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen (E/CN.4/2003/90 and Add.1-3). On 24 April 2003, the Commission on Human Rights adopted a resolution on the Working Group on the draft declaration (resolution 2003/57); two resolutions on the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights (resolution 2003/55 and resolution 2003/58); a resolution on the International Decade of the World's Indigenous People (resolution 2003/58); a resolution on human rights and indigenous issues (resolution 2003/56); a decision on the issue of indigenous peoples' permanent sovereignty over natural resources (decision 2003/110); a decision on the presentation of the report of the Working Group on Indigenous Populations on its twentieth session to the Permanent Forum on Indigenous Issues (decision 2003/111); and a decision on a seminar on treaties, agreements and other constructive arrangements between States and indigenous peoples (decision 2003/117). Those decisions were endorsed by the Economic and Social Council at its July 2003 session.

Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

4. Under his mandate, based upon Commission on Human Rights resolution 2001/57, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen, undertook a wide range of activities. They included, inter alia, fact-finding missions to Guatemala in

September 2002 (E/CN.4/2003/90/Add.2) and the Philippines in December 2002 (E/CN.4/2003/90/Add.3), communications with Governments with regard to alleged violations of the human rights of indigenous peoples (E/CN.4/2003/90/Add.1) and a thematic report on the impact of large-scale or major development projects on the human rights of indigenous peoples, submitted to the Commission on Human Rights at its fifty-ninth session (E/CN.4/2003/90). He informally visited indigenous communities in Japan (December 2002) and Canada (May 2003). Official country missions to Mexico and Chile were carried out in June and July 2003, respectively. Reports on the two visits will be presented to the Commission in April 2004. The Special Rapporteur is maintaining a constructive dialogue with the Working Group on Indigenous Populations and the Permanent Forum on Indigenous Issues, aimed at seeking ways of strengthening cooperation between their respective mandates. Furthermore, he is continuing to hold regular consultations with other mandate-holders of the Commission on Human Rights in order to strengthen cooperation in areas of common concern.

Permanent Forum on Indigenous Issues

5. The second session of the Permanent Forum on Indigenous Issues was held at United Nations Headquarters from 12 to 23 May 2003. The agenda (E/C.19/2003/1) included the following issues: indigenous children and youth; economic and social development; environment; health; human rights; culture; education; methods of work of the Forum with the United Nations system; and future work of the Forum. The Permanent Forum also included a high-level panel on indigenous children. The Chairperson-Rapporteur of the Working Group on Indigenous Populations and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people made presentations and took part in discussions with members of the Forum on future cooperation among the three mechanisms relating to indigenous peoples. The report of the Permanent Forum on Indigenous Issues at its second session is contained in document E/2003/43.

Consultation and Training Workshop for Pygmy Communities on Human Rights, Development and Cultural Diversity

6. The above-mentioned workshop, held in Yaoundé and the Dja Biosphere Reserve in Cameroon from 11 to 15 November 2002, was organized by the Office of the United Nations High Commissioner for Human Rights, in cooperation with the International Labour Organization (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Subregional Centre for Human Rights and Democracy in Central Africa. Indigenous participants included pygmy representatives from the Congo, the Democratic Republic of the Congo, Gabon, the Central African Republic, Rwanda, Burundi and Cameroon. The workshop constituted a follow-up to the three previous workshops held in the United Republic of Tanzania, Mali and Botswana on "Multiculturalism in Africa: Peaceful and Constructive Group Accommodation in Situations Involving Minorities and Indigenous Peoples", contained in the following documents: E/CN.4/Sub.2/AC.5/2000/WP.3, E/CN.4/Sub.2/AC.5/2001/3 and E/CN.4/Sub.2/AC.4/2002/4. The participating United Nations agencies provided training, inter alia, on international human rights law regarding indigenous peoples and existing United Nations programmes and mechanisms. The workshop aimed at strengthening both the cooperation with indigenous organizations and inter-agency

cooperation, thus preparing the ground for cooperation with the pygmy communities in the region. It was recommended that further activities be undertaken in 2003. The report of the workshop is contained in document E/CN.4/Sub.2/AC.4/2003/11.

Workshop on Indigenous Peoples and Sustainable Development

7. The Workshop on Indigenous Peoples and Sustainable Development was organized by the Office of the United Nations High Commissioner for Human Rights and held at the World Bank in Washington, D.C., on 19 and 20 February 2003. The purpose of the workshop was to follow up the outcomes of the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 24 August to 4 September 2002, relevant to indigenous peoples by facilitating dialogue between indigenous participants at the Summit and the Inter-agency Support Group for the Permanent Forum on Indigenous Issues. Although the recognition by States of indigenous peoples' vital role in sustainable development and the inclusion in the Johannesburg Declaration of the term "indigenous peoples" was generally welcomed, indigenous participants critically pointed to the lack of progress in the implementation of the recommendations of the Rio Conference of 1992. The need for a rights-based approach, aimed at fostering the participation of indigenous peoples in decision-making processes, and the need for monitoring the progress in the implementations of the Plan of Action of the World Summit on Sustainable Development was therefore highlighted. With regard to their demand for full and effective participation, indigenous participants invited the Inter-agency Support Group to address specific proposals of the Kimberley Plan of Action, elaborated by indigenous organizations at their conference prior to the World Summit on Sustainable Development. The report of the workshop is contained in document E/CN.4/Sub.2/AC.4/2003/10.

Cooperation between the Office of the United Nations High Commissioner for Human Rights and the United Nations Human Settlements Programme

8. The Office of the United Nations High Commissioner for Human Rights, in joint cooperation with the United Nations Human Settlements Programme, is currently undertaking a research project on indigenous peoples' housing rights. The study is aimed at identifying the current status of, obstacles to and practical solutions for greater protection and promotion of indigenous peoples' housing rights. Specific attention is being given to the issue of security of tenure and the situation of indigenous women by adopting a gender perspective. Apart from practitioners and organizations dealing with housing rights, the ultimate beneficiaries of that research will be indigenous peoples, who could use the findings and recommendations for the improvement of their living conditions. Questionnaires, based on both qualitative and quantitative research methods, have already been sent to indigenous networks. First findings of the research project are expected by the end of 2003.

Community-led human rights training

9. With the aim of further supporting indigenous-initiated community-led human rights training, the Office participated in a one-day human rights training activity in Ecuador on 8 March 2003. The training day was organized by the Instituto para el Desarollo Social y de las Investigaciones Cientificas and the training was provided by a resource person from the Office. About 40 indigenous leaders from different

parts of Ecuador, representing a wide range of indigenous communities, participated in the training. The United Nations Guide for Indigenous Peoples was used as the basis for the training and many requests have been received by the Office to follow up that effort with more training activities.

Indigenous Fellowship Programme

10. The Indigenous Fellowship Programme, now in its seventh year, is implemented by the Office of the United Nations High Commissioner for Human Rights and supported through the regular budget of the United Nations. The 2003 programme started on 28 April and will end on 3 October 2003. It includes intensive and comprehensive training in human rights with United Nations experts and resource persons drawn from the staff of the Office. It also provides an opportunity for the fellows to gain practical experience at United Nations meetings, including the sessions of the working groups related to indigenous peoples' rights and the human rights treaty bodies, and to learn about the technical cooperation activities of the Office. As an important part of the human rights-related activities, the Office also organizes study visits to several Geneva-based United Nations agencies, including ILO, the World Health Organization and the World Intellectual Property Organization, as well as to several non-governmental organizations (NGOs). Furthermore, in 2003 the fellows spent two weeks at UNESCO in Paris. The Indigenous Fellowship Programme gives indigenous individuals the opportunity to gain experience in human rights and the United Nations system and to serve as resource persons in their communities when they return.

11. The indigenous persons participating in the 2003 programme were from Burundi, Chile, India, Indonesia and the United States of America.

12. The Indigenous Fellowship Programme includes a complementary training component for indigenous people from Latin America, organized in cooperation with the Institute for Human Rights at the University of Deusto in Bilbao, Spain. The four-and-a-half-month training component for Spanish-speaking indigenous persons is now in its fourth year. The programme provides human rights training at the Institute and practical experience with the Office of the United Nations High Commissioner for Human Rights in Geneva. The five indigenous persons participating in the Deusto programme in 2003 were from Bolivia, Colombia, Guatemala, Paraguay and Venezuela.

13. In late fall 2002 a pilot project for French-speaking indigenous people was launched in cooperation with the University of Bourgogne in Dijon, France. Three indigenous persons were funded to participate in that programme. They were from Niger and Rwanda. The programme lasted one month, with two weeks at the University of Bourgogne and two weeks at the Office. The programme content was very positively evaluated, but the organizational and logistical arrangements still need to be improved. In September 2003 a second pilot project will be carried out for five French-speaking indigenous people for a period of six weeks.

Working Group on Indigenous Populations

14. The principal theme of the twenty-first session of the Working Group on Indigenous Populations, held from 21 to 25 July 2003, was "indigenous peoples and globalization". In response to the request of the Subcommission on the Promotion and Protection of Human Rights in its resolution 2002/21, the Working Group

considered new working methods aimed at facilitating a more interactive dialogue among all participants and informed participants accordingly.

15. The Working Group greatly appreciated the interactive dialogue established between the experts and the representatives of Governments, indigenous organizations, NGOs and the United Nations system. The Working Group considered that the new working methods adopted contributed to a positive atmosphere of exchange, cooperation and partnership that should be further enhanced in future sessions. It also considered that the large number of participants (around 900) in the twenty-first session underlined the continued importance of the Group, which had been established as an independent body to review the current human rights situations of indigenous peoples, deepen understanding of issues affecting them through interactive discussion, working papers and studies and elaborate appropriate international standards for the protection and promotion of indigenous peoples' rights. Resolutions on the Working Group were adopted by the Economic and Social Council in its decision 2003/254 and the Commission on Human Rights in its resolutions 2003/55 and 2003/58.

16. The Chairperson of the Permanent Forum, Ole Henrik Magga, participated actively in this year's session in the spirit of furthering close cooperation between the Permanent Forum and the Working Group. The report of the Working Group on its twenty-first session is contained in document E/CN.4/Sub.2/2003/22.

Technical Cooperation Programme

17. The Office of the High Commissioner continues to integrate indigenous issues into the technical cooperation programmes that it carries out. At present, technical cooperation projects in Colombia, Guatemala and Mexico include specific activities that benefit indigenous peoples. Such activities consist of training representatives of indigenous peoples' organizations and strengthening the capacity of State institutions responsible for the protection of human rights with a specific mandate for indigenous peoples.

Inter-agency consultation

18. The Office continues to prioritize inter-agency consultation on indigenous peoples in order to promote the objectives of the International Decade, mainstream indigenous rights into the work of United Nations programmes and agencies and organize joint activities, thereby drawing on the expertise and resources of the United Nations system. It has shared responsibility with ILO for organizing regular annual meetings of organizations in the United Nations system for more than a dozen years as a way of providing an opportunity for the informal exchange of information among staff working on indigenous or related issues. It has proved to be helpful in strengthening cooperation at the working level within the United Nations system. In the light of the decision by the Economic and Social Council to establish the Permanent Forum on Indigenous Issues, the High Commissioner convened a special meeting of the United Nations system from 23 to 25 January 2002. The purpose of the meeting was to consider how United Nations organizations could prepare for the first session of the Permanent Forum and provide ongoing support. The Inter-agency Support Group for the Permanent Forum on Indigenous Issues was established to strengthen practical cooperation among organizations of the United Nations system as a consequence of that meeting. On 18 and 19 February 2003, the

Inter-agency Support Group met at the World Bank to prepare for the second session of the Permanent Forum on Indigenous Issues. Another meeting of the Support Group took place on 18 July 2003 to exchange information, in particular in relation to the Working Group on Indigenous Populations.

United Nations Voluntary Fund for Indigenous Populations

19. The United Nations Voluntary Fund for Indigenous Populations was established pursuant to General Assembly resolution 40/131 of 13 December 1985 to assist representatives of indigenous communities and organizations to participate in the deliberations of the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights by providing them with financial assistance. The Assembly broadened the mandate of the Fund in its resolution 50/156 of 21 December 1995 by deciding that the Fund should also be used to assist representatives of indigenous communities and organizations to participate in the deliberations of the open-ended intersessional Working Group of the Commission on Human Rights on the draft United Nations declaration on the rights of indigenous peoples. The Assembly further expanded the mandate of the Fund in its resolution 56/140 of 19 December 2001 by deciding that the Fund should also be used to assist representatives of indigenous communities and organizations to attend the sessions of the Permanent Forum on Indigenous Issues, as observers.

20. The Fund is administered by the Secretary-General, assisted by a Board of Trustees, through the Office of the United Nations High Commissioner for Human Rights and in accordance with the financial regulations and rules of the United Nations relating to trust funds for humanitarian assistance. The five members who have been appointed by the Secretary-General for a three-year renewable term which ends on 31 December 2005 are themselves indigenous experts: Lars Anders Baer (Saami), Nadir Bekirov (Crimean Tatar), Ahmed Mahiou (Amazigh), José Carlos Morales Morales (Brunca) and Victoria Tauli-Corpuz (Igorot).

21. The biennial report of the Secretary-General on the status of the Fund and activities undertaken with its resources was submitted to the General Assembly at its fifty-seventh session (A/57/296). Updated information is available in the note by the Secretariat prepared for the Second Session of the Permanent Forum (E/CN.19/2003/11); in the last report on the Decade to the Commission on Human Rights (E/CN.4/2003/89) and in the note by the Secretariat on the Fund sent to the Working Group on Indigenous Populations (E/CN.4/Sub.2/AC.4/2003/12). Information on the Fund is also available on the Office web site: www.unhchr.ch.

22. At its sixteenth session, held in Geneva from 31 March to 4 April 2003, the Board of Trustees noted with satisfaction that, during the intersessional period, the Secretariat implemented the new mandate established by the General Assembly to enable 43 indigenous observers to attend the second session of the Forum, held in New York from 12 to 23 May 2003, after a selection process and the screening of more than 200 applications; those recommendations had been approved by the High Commissioner on behalf of the Secretary-General on 13 March. The list of beneficiaries was included in the note by the Secretariat prepared for the Second Session of the Permanent Forum (E/CN.19/2003/11). At its sixteenth session, the Board of Trustees considered 233 admissible applications for grants to enable indigenous representatives to attend the twenty-first session of the Working Group on Indigenous Populations (21-25 July 2003) and 23 admissible applications to

attend the seventh session of the Working Group of the Commission on Human Rights (15-26 September 2003). The Board recommended 80 travel grants to attend the session of the Working Group on Indigenous Populations, for a total amount of approximately US$ 144,000, and 15 travel grants to attend the Working Group of the Commission on Human Rights, for a total amount of approximately $41,000 (see list of beneficiaries in document E/CN.4/Sub.2/AC.4/2003/12).

23. At its annual meeting with donor Governments, held in Geneva on 4 April 2003, the Board expressed its gratitude for the donors' generous contributions, recommended a sustained effort and, if possible, an increase in their contributions. The Board was encouraged by even symbolic contributions as an expression of interest in the participation of indigenous populations and invited Governments to continue to meet with it during its annual session to discuss issues of mutual concern. The Board urged donors who had pledged a contribution to remit it as soon as possible (see list of contributions and pledges made for the sixteenth session of the Board in document E/CN.4/Sub.2/AC.4/2003/12).

24. The Fund receives contributions from Governments, NGOs and other private or public entities. The General Assembly, in its resolution 57/192, appealed to all Governments, organizations and individuals in a position to do so to support the International Decade by contributing to the Fund, together with other donors, in order to assist indigenous representatives in participating in the above-mentioned Working Groups and in the Permanent Forum in 2003. The Commission on Human Rights, in its resolution 2003/58 and the Subcommission on the Promotion and the Protection of Human Rights, in its resolution 2002/21, appealed to all Governments to contribute generously to the Fund.

25. Interested donors are invited to pay their contributions before the next session of the Board of Trustees (February/March 2004) in order to enable the Fund and its Board of Trustees to fulfil their mandate. Voluntary contributions can be made by bank transfer to the "United Nations Geneva General Fund":

- In United States dollars and other currencies to: "United Nations Office at Geneva", account 485001802, J.P. Morgan Chase Bank, New York, N.Y. 10004, United States of America — Swift code: CHASUS33
- In euros and pounds sterling to: "United Nations Office at Geneva", account 23961 901, J.P. Morgan Chase Bank, London, P.O. Box 440, Wollgate House, Coleman Street, London, United Kingdom — Swift code: CHASGB2L
- In Swiss francs to: "United Nations Geneva General Fund", account 240-C0590160.0, UBS, Rue du Rhône 8, Geneva 2, Switzerland — Swift code: UBSWCHZH12A

Contributions can also be made by cheque to the order of the United Nations to be sent to The Treasurer, United Nations Office at Geneva, Palais des Nations, CH-1211, Geneva 10, Switzerland. In any case, the following should be specified: "For the United Nations Voluntary Fund for Indigenous Populations-Account IH".

United Nations Trust Fund for the International Decade of the World's Indigenous People

26. In accordance with General Assembly resolutions 48/163, 49/214 and 50/157, the purpose of the Trust Fund for the International Decade of the World's Indigenous

People is to finance projects and programmes during the Decade. The Fund receives contributions from Governments, NGOs and other private or public entities. In conformity with paragraph 23 of the annex to resolution 50/157, an Advisory Group was established to assist the Coordinator of the Fund. The current Advisory Group is composed of the members of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations (see A/55/202, para. 4), who are all indigenous experts, the Chairperson-Rapporteur of the Working Group on Indigenous Populations and another United Nations expert who is specialized in project and programme management and appointed by the High Commissioner for Human Rights in his capacity as Coordinator of the Decade. The most recent reports on the Fund by the secretariat are contained in documents E/CN.4/2003/89 (paras. 9-12) and E/CN.4/Sub.2/AC.4/2003/13. Information on the Fund is also available from the Office's web site under "Fundraising". Additional information can be obtained from the secretariat of the Fund at the Trust Funds Unit, Support Services Branch, Office of the United Nations High Commissioner for Human Rights.

27. At its eighth session, from 7 to 11 April 2003, the Advisory Group examined 197 applications from indigenous communities and organizations for project grants. The Advisory Group recommended grants totalling $274,000 to 48 indigenous projects, which were approved by the High Commissioner for Human Rights on behalf of the Secretary-General (for the list of projects, see E/CN.4/Sub.2/AC.4/2003/13, annex III). Funding was also made available for the following activities: a community-led human rights training activity for indigenous peoples, to be carried out by the Office in a yet to be specified location; and the participation of 10 indigenous representatives from all regions to attend a Thematic Seminar on Indigenous Peoples and the Administration of Justice.

28. The geographical distribution of grants awarded at the eighth session of the Advisory Group is shown in table 1.

Table 1
Geographical distribution of grants awarded at the eighth session of the Advisory Group

Geographical area	*Number of project grants awarded*	*Amount (United States dollars)*
Africa	13	88 000
America	17	83 000
Asia	14	79 000
Europe	4	24 000
Total	**48**	**274 000**

29. The following voluntary contributions were received by the Fund from 1 July 2002 to 30 June 2003.

Table 2
Contributions received from 1 July 2002 to 30 June 2003*

Donors	*Amount (United States dollars)*	*Date on which payment was registered*	*Location where payment was received*
Australia	15 182	10 April 2003	Geneva
Canada	9 746	30 January 2003	Geneva
Cyprus	2 000	6 August 2002	Geneva
Denmark	112 656	22 April 2003	Geneva
Estonia	8 330	24 December 2002	Geneva
France	11 333	5 May 2003	Geneva
Germany	25 000	9 October 2002	Geneva
Greece	3 000	1 November 2002	Geneva
Japan	18 000	3 February 2003	Geneva
Luxembourg	2 454	14 April 2003	Geneva
Netherlands	55 334	1 April 2003	Geneva
Norway	49 168	2 May 2003	Geneva
Norway	51 758	4 April 2003	Geneva
Sweden	18 727	7 April 2003	Geneva
Switzerland	14 666	11 April 2003	Geneva
Thailand	10 000	24 March 2003	Geneva
United Nations Staff Coordinating Council	8 818	16 April 2003	Geneva

* The contributions of countries in italics refer to the transfer to the United Nations Voluntary Fund for the International Decade of the World's Indigenous People of the remaining balance of contributions originally made by those countries to the United Nations Voluntary Fund for the International Year of the World's Indigenous People.

30. The following pledges remained outstanding as at 30 June 2003.

Table 3
Outstanding pledges as at 30 June 2003

Donor	*Amount (United States dollars)*	*Date pledged*	*Location where pledged*
Algeria	5 000	23 December 2002	Geneva
Japan	11 708	12 May 2002	Geneva

31. The development in the number of grants approved from 1998 to 2003 is shown in table 4.

Table 4
Development in the number of grants approved from 1998 to 2003

Year (Advisory Group session)	*Admissible applications received*	*Applications (Amounts in United States dollars)*	*Grants approved*	*Amount (United States dollars)*
1998 (Third)	44	-	13	139 016
1999 (Fourth)	94	4 161 178	24	232 000
2000 (Fifth)	58	2 796 688	20	174 955
2001 (Sixth)	82	3 699 880	30	252 606
2002 (Seventh)	102	2 814 752	43	390 152
2003 (Eighth)	197	5 000 000	48	274 000

Conclusion

32. **The cost plan for 2004 envisages the need for approximately $350,000 for project grants to indigenous organizations and communities, as well as workshops/seminars on indigenous issues in 2004. The Commission on Human Rights, in paragraph 15 of its resolution 2003/58 and the General Assembly, in paragraph 7 (d) of its resolution 57/192, appealed to all Governments, organizations and individuals in a position to do so to contribute to the United Nations Trust Fund for the International Decade of the World's Indigenous People. Interested donors are invited to pay their contributions before the next session of the Advisory Group (April 2004) in order to enable the Fund, the Advisory Group and the Coordinator of the Decade to fulfil their mandate. Voluntary contributions can be made by bank transfer to the "United Nations Geneva General Fund" in United States dollars to account 240-C-590-160.1, or in other currencies to account 240-C-590-160.0, c/o UBS AG, P.O. Box 2770, CH-1211 Geneva 2, Switzerland, Swift code UBSWCHZH12A. Contributions can also be paid by check to the order of the "United Nations" and sent to The Treasurer, United Nations Office at Geneva, Palais des Nations, CH-1211 Geneva 10, Switzerland. In any case, donors should specify, "For the Fund for Indigenous People Decade, account IV".**